P.R. No. 49550 Single Bench
Presented by Shri Pankaj Soni
dated 13.12.2004

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P. No.4847/2004

PETITIONER : Ku. Jyoti Sarva,
aged about 30 years,
Daughter of Late Sadaram Sarva
R/o village Sasaholi Tahsil Tilda,
Post Neora, Distt. Raipur (C.G.),

VERSUS

RESPONDENTS :
1. State of C.G. through Secretary Education, Raipur.
2. D. E. O., Bilaspur Raipur
3. State of M.P. through Secretary Education, Bhopal.
4. Union of India, through Director Ministry of Personal Training & Public Grievances (State Reorganisation Cell) Lok Nayak Bhawan, Khan Market, New Delhi

RECEIVED COPY
THAKUR VIJAY SINGH
Sr. Cent. Govt. Standing Counsel
CHHATTISGARH HIGH COURT
13/12/04

Attested
13/12/04
A.R.(J)
19/1/05

Amendment made as per orders dated 17-1-05
19-1-05
Counsel for Petitioner

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13/12/04
Clerk to A.G. Bilaspur

सपथ आयुक्त
13/12/04
बिलासपुर (छ.ग.)
बिलासपुर तहसील कोर्ट

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

Hon'ble Chief Justice & His
Companion Judges of
C.G,High Court

55

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 4847 of 2004

Petitioner : Ku. Jyoti Sarva

Versus

Respondents : State of Chhattisgarh and others

Present : Shri Ashok Soni, counsel for the petitioner.
Smt. Anju Ahuja, Deputy Government Advocate for the respondents No. 1 and 2.
None for the respondent No. 3.
Shri S.K. Beriwal, Standing counsel for the respondent No. 4/Union of India.

ORAL ORDER
(20th April, 2006)

1. Learned counsel for the petitioner submits that the petitioner is the daughter of Smt. Dulari Bai, who was working as Head Mistress in Primary School Simga, District-Raipur. Smt. Dulari Bai was died in harness on 15.2.2000

2. The petitioner, being dependant-legal heir of the deceased filed an application immediately thereafter for compassionate appointment before the District Education Officer, Raipur. The said application was not considered on the ground that the death has occurred before creation of new State of Chhattisgarh. Accordingly, the case of the petitioner was rejected by order dated 13.10.2004 (Annexure P/1).

3. The State of Chhattisgarh, by its circular dated 2.2.2006, has directed all the departments to consider cases of all the eligible dependant-legal heir of the employees, who died in harness

56

between 1.11.1997 to 31.10.2000 for compassionate appointment.

4. Accordingly, the State Government is directed to consider the case of the petitioner as per its own circular dated 2.2.2006 and also in view of the order dated 20.12.2005 passed by this Court in W.P. No. 1322/2002 and other connected matters on its own merit, in accordance with law, on such representation being filed by the petitioner.

5. For the reasons stated-above, the writ petition stands disposed of. No order as to costs.

Certified copy as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Bablu